

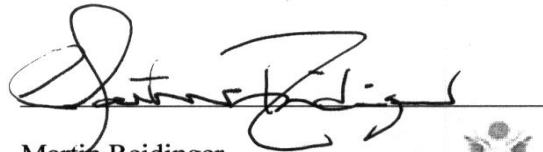
before the Court in this matter. The Order in Beritelli, therefore, is incorporated herein, and the current motion will be disposed of in accord therewith.

ORDER

IT IS, THEREFORE ORDERED that the Defendant's Motion to Dismiss [Doc. 5] is **GRANTED IN PART** and **DENIED IN PART**. Specifically, with respect to the Plaintiff's claim for negligent misrepresentation, the Motion to Dismiss [Doc. 5] is **GRANTED** and this claim is **DISMISSED**. In all other respects, the Motion to Dismiss [Doc. 5] is **DENIED**.

IT IS SO ORDERED.

Signed: September 30, 2013


Martin Reidinger
United States District Judge

